

Message

From: Engelman-Lado, Marianne [marianne.engelman-lado@yale.edu]
Sent: 7/3/2018 2:43:53 PM
To: McGhee, Debra [mcghee.debra@epa.gov]
CC: Leah Aden [LAden@naacpldf.org]; Suzanne Novak [snovak@earthjustice.org]; Jonathan J. Smith [jjsmith@earthjustice.org]; Biffi, Betsy [Biffi.Betsy@epa.gov]; Covington, Jeryl [Covington.Jeryl@epa.gov]; Stein, Jonathan [Stein.Jonathan@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Julondre Brown [julondre.brown@YLSclinics.org]; Seth Noorzad [seth.noorzad@ylsclinics.org]
Subject: Re: Additional Follow Up

Thanks for the response, and it's helpful to know the status of the trip. We look forward to hearing more and are hopeful that approval for the site visit is forthcoming.

We understand that the call today is intended as an opportunity for EPA to follow up on materials previously submitted on behalf of ABSCO. Please let us know if there are any particular materials we should have handy. We hope to be able to provide answers and also hope that you'll understand if we need to follow up to provide information after the call.

It would also be helpful to us to gain a better understanding of how ECRCO views the causation element of a disparate impact claim and, particularly, what proof ECRCO would find relevant and sufficient to establish causation. We note that causation was identified as the linchpin for findings of insufficient evidence in both the earlier complaint filed by ABSCO and EPA's recent decision to close the Uniontown case but have found little guidance in EPA or Department of Justice materials to help complainants understand the analysis that ECRCO might apply.

Finally, I wanted to mention that JuLondre Brown and Seth Noorzad, to EJ Clinic summer clinicians, plan to join today's call.

Sincerely,

Marianne

Marianne Engelman Lado
 EJ Clinic
 Yale Law School

Ex. 6 Personal Privacy (PP)

marianne.engelman-lado@ylscliics.org

Ex. 6 Personal Privacy (PP)

On Jul 3, 2018, at 9:06 AM, McGhee, Debra <mcghee.debra@epa.gov> wrote:

Marianne --- Hello. The team here is available for the call today at 1:00. As for the schedule for a visit to Tallapoosa County, that is not certain yet. The schedule and timeline for the trip is not definite yet, and, indeed, we have not received final approval for a trip. We can definitely discuss this more on the call today.

Thanks for following up.

Debra McGhee
 Team Lead, ECRCO
 (202) 564-4646

From: Engelman-Lado, Marianne [<mailto:marianne.engelman-lado@yale.edu>]
Sent: Monday, July 2, 2018 6:27 PM
To: McGhee, Debra <mcghee.debra@epa.gov>
Cc: Leah Aden <LAden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>; Biffi, Betsy <Biffi.Betsy@epa.gov>; Covington, Jeryl <Covington.Jeryl@epa.gov>; Stein, Jonathan <Stein.Jonathan@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>
Subject: Re: Additional Follow Up

Debra,

I wanted to check in to confirm our call tomorrow at 1 and also to find out about your availability we discussed. We want to be sure that [Ex. 6 Personal Privacy (PP)] is available and, also, to give community members sufficient notice so that they can make time and be prepared for the visit. We also will need to clear schedules and arrange travel, so advance notice would be helpful.

Thanks,

Marianne

On Jun 20, 2018, at 1:12 PM, McGhee, Debra <mcghee.debra@epa.gov> wrote:

Thank you. I did receive the earlier message about your availability on July 3. I was checking on schedules here. A call between 1 and 2 would work for our group. I'll send a meeting invitation later today.

I am sharing the information you've provided about [Ex. 6 Personal Privacy (PP)] availability with the team. We will definitely get back to you on dates for our visit and we will factor this into our planning.

Debra E. McGhee

Team Lead

External Civil Rights Compliance Office

Office Phone: 202-564-4646

"Commit yourself to the noble struggle for human rights. You will make a greater person of yourself, a greater nation of your country, and a finer world to live in." ~ Martin Luther King, Jr. , 18th April, 1959

From: Engelman-Lado, Marianne [<mailto:marianne.engelman-lado@yale.edu>]
Sent: Wednesday, June 20, 2018 12:45 PM
To: McGhee, Debra <mcghee.debra@epa.gov>
Cc: Leah Aden <LAden@naacpldf.org>; Suzanne Novak <snovak@earthjustice.org>; Jonathan J. Smith <jjsmith@earthjustice.org>
Subject: Additional Follow Up

Debra,

I wanted to double check that you received the email below, which I sent yesterday. Please confirm.

Second, I've checked with [Ex. 6 Personal Privacy (PP)] about his availability for a site visit, and he is at a conference the week of July 17th. If possible, he has a strong preference for either July 26th or 27th, or the following week, July 30th – August 3rd.

I know that summer months can be difficult but we would greatly appreciate if you could explore the possibility of organizing the on-site during these time periods. My colleagues on the legal team and I will try to accommodate both Ex. 6 Personal Privacy (PP) availability and your schedules.

Please let me know if these dates can work.

I look forward to our conversation in early July.

Best,

Marianne

Marianne Engelman Lado
Visiting Clinical Professor of Law
Environmental Justice Clinic
Yale Law School
127 Wall Street
New Haven, CT 06511

Ex. 6 Personal Privacy (PP)

Marianne.engelman-lado@ylsclinics.org

From: "Engelman-Lado, Marianne" <marianne.engelman-lado@yale.edu>

Date: Tuesday, June 19, 2018 at 3:18 PM

To: "mcghee.debra@epa.gov" <mcghee.debra@epa.gov>

Subject: Follow Up

Debra,

July 3rd would work on our end for a planning call, any time from 1 to 5.

Thanks,

Marianne

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Ex. 6 Personal Privacy (PP)

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